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**FISCAL IMPACT STATEMENT**

**LS 7295**

**BILL NUMBER:** HB 1226

**NOTE PREPARED:** Feb 22, 2005

**BILL AMENDED:** Feb 21, 2005

**SUBJECT:** Various Election Law Matters.

**FIRST AUTHOR:** Rep. Richardson

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** (Amended) The bill provides that a person may not file election related documents by fax or electronic transmission unless specifically permitted or required by law. The bill makes other changes relating to filing election related documents. The bill provides that the deadline to withdraw as a primary election candidate does not apply to a candidate who is disqualified. The bill provides that a candidate who moves from the election district must file a notice of withdrawal immediately after the candidate's residence changes.

The bill provides an expedited procedure for removal of the name of an alleged disqualified candidate from the general election ballot. The bill provides that if the expedited procedure does not conclude by noon 30 days before the general election, the alleged disqualified candidate's name must remain on the ballot. The bill provides in such a case that if the alleged disqualified candidate wins the election and is disqualified, it is considered that a qualified candidate of the same political party was elected and that a vacancy occurred in the office after the election. The bill removes obsolete date references and updates other references. The bill updates references to federal law.

**Effective Date:** (Amended) Upon passage; July 1, 2005.

**Explanation of State Expenditures:** (Revised) *Summary:* Under the provisions of the bill, the oversight responsibility of the Election Division would increase. The Election Division would likely require an increase in administrative time to fulfill the requirements of the bill. The cost to provide photocopies of party devices to counties would likely be minimal. The Election Commission could be required to hold additional hearings on the removal of a candidate's name from the general election ballot for evidence of either disqualification or

withdrawal.

*Background:* The Election Commission/Division reverted \$63,947 back to the state General Fund at the end of FY 2004. The Election Division was appropriated \$794,571 in FY 2004 and \$725,571 in FY 2005.

As of February 2004, the Election Division had 13 staff positions. Three positions: a systems analyst, an unclassified executive position, and a Governor's fellow were vacant. The other 10 positions included two attorneys, two field auditors, two unclassified executive positions, two program coordinators, and two administrative personnel.

The Election Division had printing costs of about \$260 for forms and \$2,200 for non-forms in FY 2004. The Division's resources should be sufficient to develop the forms necessary to comply with the bill.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Election Division, Indiana Election Commission.

**Local Agencies Affected:** County election authorities.

**Information Sources:** *State of Indiana HRM Detail Staffing Report, December, 2004*; State Budget Agency: *FY2004 General and Rainy Day Fund Summaries*; State of Indiana: *List of Appropriations July 1, 2003 to June 30, 2005*; BUDSTARS; Office of the State Auditor.

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